

# UNITED STATES DISTRICT COURT

for

Eastern District of Washington

FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

**Oct 26, 2021**

SEAN F. McAVOY, CLERK

U.S.A. vs. Mackinnon, Shane Allen Docket No. 2:21CR00128-RMP-1

## Petition for Action on Conditions of Pretrial Release

COMES NOW Erik Carlson, PRETRIAL SERVICES OFFICER presenting an official report upon the conduct of defendant Shane Allen Mackinnon, who was placed under pretrial release supervision by the Honorable U.S. Magistrate Judge John T. Rodgers sitting in the court at Spokane, Washington, on the 22<sup>nd</sup> day of September 2021, under the following conditions:

**Standard Condition #9:** Defendant shall refrain from the use or unlawful possession of a narcotic drug or other controlled substances defined by 21 U.S.C. § 802, unless prescribed by a licensed medical practitioner in conformance with Federal law. Defendant may not use or possess marijuana, regardless of whether Defendant has been authorized medical marijuana under state law.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

**Violation #1:** Shane Allen Mackinnon is alleged to have violated his conditions of pretrial release supervision by testing positive for the presence of marijuana on September 29, 2021.

On September 27, 2021, the undersigned officer reviewed the conditions of pretrial release supervision with Mr. Mackinnon. Mr. Mackinnon acknowledged an understanding of the conditions, which included standard condition number 9.

On September 29, 2021, Mr. Mackinnon reported to Pioneer Human Services and provided a urine specimen that tested presumptive positive for the presence of marijuana. Subsequently, the sample was sent to Alere Toxicology (Alere) for further analysis. Mr. Mackinnon reported to the undersigned officer that this presumptive result was residual from marijuana use that occurred prior to being placed under conditions of pretrial release supervision.

On October 19, 2021, Alere confirmed the aforementioned urine specimen tested positive for the presence of marijuana.

**Violation #2:** Shane Allen Mackinnon is alleged to have violated the conditions of pretrial release supervision by testing positive for the presence of marijuana on October 15, 2021.

On September 27, 2021, the undersigned officer reviewed the conditions of pretrial release supervision with Mr. Mackinnon. Mr. Mackinnon acknowledged an understanding of the conditions, which included standard condition number 9.

On October 15, 2021, Mr. Mackinnon reported to Pioneer Human Services and provided a urine specimen that tested presumptive positive for the presence of marijuana. Mr. Mackinnon signed a substance abuse admission form acknowledging his last use of marijuana was on October 5, 2021. Subsequently, the sample was sent to Alere Toxicology (Alere) for further analysis.

On October 19, 2021, the undersigned officer confronted Mr. Mackinnon about his use of marijuana. Mr. Mackinnon acknowledged he had ingested marijuana on "a couple" of occasions since being placed on pretrial release supervision. He stated his last use of marijuana was on October 5, 2021.

On October 23, 2021, Alere confirmed the aforementioned urine specimen tested positive for the presence of marijuana.

**Re: Mackinnon,, Shane Allen**

**October 25, 2021**

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PRAYING THAT THE COURT WILL ORDER NO ACTION AT THIS TIME

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I declare under the penalty of perjury  
that the foregoing is true and correct.

Executed on: October 25, 2021

by s/Erik Carlson

Erik Carlson  
U.S. Pretrial Services Officer

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## THE COURT ORDERS

- ☒ No Action
- ☐ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☐ The incorporation of the violation(s) contained in this  
petition with the other violations pending before the  
Court.
- ☐ Defendant to appear before the Judge assigned to the case.
- ☐ Defendant to appear before the Magistrate Judge.
- ☐ Other



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Signature of Judicial Officer

October 26, 2021

Date